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DESIGN & CONSTRUCTION

Date: August 5, 2004

Subject: Memorandum of Agreement between The Department of Corrections and The Office of Administration, Division of Facilities Management

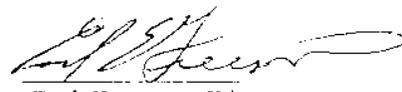
By the terms of this agreement, The Office of Administration, Division of Facilities Management is authorized to use Department of Corrections funds to care take the empty Missouri State Penitentiary for the balance of fiscal year 2005 after the Department of Corrections has vacated the facility. This agreement authorizes The Office of Administration, Division of Facilities Management to expend up to \$561,459 of funds appropriated to the Department of Corrections for fiscal year 2005 for the above stated purpose.

Through this memorandum of agreement the Department of Corrections will request that the Office of Administration, Division of Accounting grant the Office of Administration, Division of Facilities Management security access to the accounting structure listed below. The Office of Administration, Division of Facilities Management agrees to use this amount only for the purposes stated above.

The following accounting structure should be used on all documents pertaining to this agreement:

Fund	Agency	Organization	Appropriation
0101	931	3937	6966


 Gary B. Kempker, Director
 Department of Corrections
 8/5/04
 Date


 Carl Greeson, Director
 Division of Facilities Management
 Office of Administration
 8/5/04
 Date

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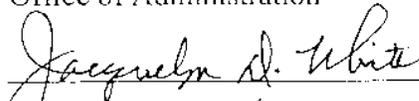
Memorandum of Understanding
Missouri State Penitentiary Temporary Care taking
Department of Corrections and Office of Administration
July 29, 2004

- A. By this agreement, the Department of Corrections (DOC) and the Office of Administration (OA) outline the basic working relationships that are necessary for the transition of care taking responsibilities of the real estate and physical property known as the Missouri State Penitentiary (MSP) from DOC to OA during fiscal year 2005. OA's responsibility for care taking the property is temporary until the ownership conveys to the MSP Redevelopment Commission. This memorandum does not address all details of the care taking transition. The parties agree that an MSP Care Taking Task Force will be formed comprised of representatives of OA Facilities Management, DOC Construction Office, DOC Adult Institutions staff and the MSP Redevelopment Commission to address details throughout FY05.
- B. The MSP Care Taking Task Force planning should address areas of need including:
- a. Safety to employees, the general public and visitors to the MSP.
 - b. Security of buildings and grounds.
 - c. General property protection and decommissioning with particular care for buildings designated for future use.
 - d. Fire protection for public safety and protection of buildings for future use.
 - e. Utilities and telecommunications service and disconnection.
 - f. Equipment transfer and surplus.
 - g. Identification of hazards, including chemical and asbestos, and removal as possible.
 - h. Availability and preservation of architectural, mechanical, electrical and other engineering drawings of the existing MSP property.
 - i. Availability and preservation of any operating and equipment manuals.
 - j. Lawn and grounds maintenance.
- C. It is understood by all parties that the Department of Corrections will be responsible for the MSP property until a formal transfer is made to and accepted by the Office of Administration on or about 45 days after the last prisoner departs MSP. The OA and the DOC will work cooperatively to make that transition as quickly as possible following departure of prisoners and an initial decommissioning effort conducted by both departments. The OA will take the lead in the de-commissioning of the site by providing the DOC with direction and assistance. Costs associated with de-commissioning, to include materials and outside contracting, will be assumed by OA utilizing the \$561,459 allocated for MSP care taking. DOC activity in de-commissioning past 45 day time period will be based on the availability of DOC staff.

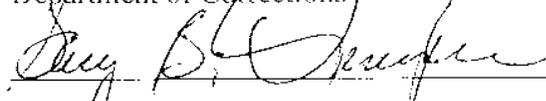
- D. Transition activities need to begin immediately with planning and preliminary actions prior to prisoner relocation. DOC will immediately provide OA staff access to MSP as appropriate for planning, training, initial staging and decommissioning when mutually agreed within constraints determined by DOC for safety and security.
- E. It is understood by both parties that a separate Memorandum of Agreement will be signed and sent to the OA Division of Accounting to authorize OA Division of Facilities Management (DFM) to expend up to \$561,459 of general revenue funds appropriated to the DOC for fiscal year 2005 to care for the empty MSP. See attachment for detailed breakout of \$561,459.
- F. The DOC will provide care taking training and instruction to maintenance and security staff and contractors identified by OA DFM up to and within 45 day time period after prisoner relocation. DOC assistance in training and instruction past 45 day time period will be based on the availability of DOC staff.
- G. The DOC will provide OA DFM with two sets of all keys for the main housing units and a set of all other keys for various locks, tagged for identification.
- H. Missouri Vocational Enterprises (MVE) will continue to occupy building 32 outside the prison wall/fence for the duration of FY05. However, OA DFM will not be responsible for the operation or maintenance of building 32 until vacated by MVE.
- I. MVE will continue to have access to interior buildings as necessary to complete equipment moves for a period of six months after the offender relocation.
- J. DOC Office of Information Systems (DOC IS) will occupy building 31 outside the prison wall/fence for the duration of FY05. However, OA DFM will not be responsible for the operation or maintenance of building 31 until vacated by DOC IS
- K. DOC IS will continue to have access to interior buildings as necessary to complete equipment moves for a period of 6 months after the offender relocation.
- L. The DOC will provide continuing assistance to OA and the MSP Redevelopment Commission for public tours of the MSP during the 45 day time period after the offender relocation. DOC assistance with tours past the 45-day time period will be based on the availability of DOC staff.
- M. Areas of MSP that are currently crime scenes will be identified to OA DFM who will avoid those as directed by law enforcement authorities.

- N. Within 45 days of offender relocation OA DFM will be responsible for providing 24-hour security for the MSP property.
- O. The DOC will be responsible for and will work with OA Division of Purchasing and Materials Management, State Agency for Surplus Property to develop an efficient means of surplus of MSP equipment and material with the goal to complete the surplus process prior to July 1, 2005.
- P. The DOC will remove all garbage and trash from the MSP buildings and property as soon as practical and prior to the turnover of the property to OA DFM.
- Q. The DOC will provide an offender work crew to perform lawn mowing of MSP grounds, including up to the Kirchner State School property, and snow removal from selected roads and grounds until July 1, 2005 pursuant to standard work release agreements. OA will be responsible for equipping, supervising and paying that offender work crew. Funding for this activity is included in the \$561,459 allocated for MSP care taking.
- R. In the FY06 budget process, DOC will request a core transfer of 2.00 FTE and \$46,248 of personal services authority to the OA DFM for MSP maintenance and care taking. This FTE and personal services funding will be designated from the anticipated staff savings of the new Jefferson City Correctional Center (JCCC).

Jacquelyn D. White, Commissioner
Office of Administration


Date: 8/9/04

Gary B. Kempker, Director
Department of Corrections


Date: 8/30/04